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October 20, 2005

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Commissioner for Patents  
PO Box 1450  
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**Art Unit 1633**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 09/843,922; Filed: April 30, 2001  
For: **Negative-Sense RNA Virus Vector for Nerve Cell**  
Inventor: Fukumura *et al.*  
Our Ref: 2144.0270001/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Tenth Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(c);
2. Listing of the cited document on Form PTO/SB/08B (1 sheet);
3. A copy of the cited document (AR9) on Form PTO/SB/08B;
4. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover the IDS filing fee; and
5. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
October 20, 2005  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Frank R. Cottingham". The signature is fluid and cursive, with the last name "Cottingham" being more prominent.

Frank R. Cottingham  
Attorney for Applicants  
Registration No. 50,437

FRC/pcd  
Enclosures

454193v1



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Fukumura *et al.*

Appl. No.: 09/843,922

Filed: April 30, 2001

For: **Negative-Sense RNA Virus Vector  
for Nerve Cell**

Confirmation No.: 2336

Art Unit: 1633

Examiner: Kelly, Robert M.

Atty. Docket: 2144.0270001/RWE/FRC

**Tenth Supplemental Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(c)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08B is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Tenth Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Ninth Supplemental Information Disclosure Statement filed on December 2, 2004, in connection with the above-captioned application. A copy of document **AR9** is provided.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent

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application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.


This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO/SB/08B, and indicate in the official file wrapper of this patent application that the document has been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham  
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Date: OCT. 20, 2005

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